

February 1, 2012

The Public Service Commission convened in the Commission Hearing Room, State Capitol, Bismarck, North Dakota, on February 1, 2012, 10:00 a.m. Present were Commissioners Clark, Kalk and Cramer.

Minutes

Mr. Cramer: I move the minutes of January 18, 24, 27, 2012 be approved.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-12-44
Perry L. Larson
Auction Clerk
License Application

Mr. Cramer: I move the Commission approve the auction clerk license application for Perry L. Larson, Tuttle, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. AU-12-50
Charles Wiesz
Auctioneer
License Application

Mr. Cramer: I move the Commission approve the auctioneer license application for Charles Wiesz, Carrington, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-51
Walsh Grain Terminal, LLC
Roving Grain Buyer - Park River, ND
License Application

Mr. Cramer: I move the Commission approve the roving grain buyer license application in Case No. GE-12-51 for Walsh Grain Terminal, LLC of Park River, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-299
Otter Tail Power Company
Kent Rood - Cass County
Public Convenience & Necessity

Mr. Cramer: I move the Commission issue a Notice of Opportunity for Hearing in the application of Otter Tail Power Company to extend electric service to Kent Rood at a location in Cass County, North Dakota, Case No. PU-11-299.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-302
Otter Tail Power Company
Clifford Farms Cooperative Elevator
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company to extend electric service to Clifford Farmers Cooperative Elevator at a location in Traill County, North Dakota, Case No. PU-11-302.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-504
Otter Tail Power Company
David Gulland - Cass County
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company to extend electric service to David Gulland at a location in Cass County, North Dakota, Case No. PU-11-504.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-649
Otter Tail Power Company
Mike Whitmore - Cass County
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Otter Tail Power Company to extend electric service to Mike Whitmore at a location in Cass County, North Dakota, Case No. PU-11-649.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-651
Otter Tail Power Company
Kevin Rodine - Dickey County
Public Convenience & Necessity

Mr. Cramer: I move the Commission issue a Notice of Opportunity for Hearing in the application of Otter Tail Power Company to extend electric service to Kevin Rodine at a location in Dickey County, North Dakota, Case No. PU-11-651.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-667
Montana-Dakota Utilities Co.,
a Division of MDU
Robert Alexander - Ward County
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co. to extend electric service to Robert Alexander at a location in Ward County, North Dakota, Case No. PU-11-667.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-685
Montana-Dakota Utilities Co.,
a Division of MDU
Brunno Kinzler - Dickey County
Public Convenience & Necessity

Mr. Cramer: I move the Commission adopt the Order and issue a Certificate of Public Convenience and Necessity authorizing Montana-Dakota Utilities Co. to extend electric service to Brunno Kinzler at a location in Dickey County, North Dakota, Case No. PU-11-685.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-11-697
Midcontinent Communications /
Missouri Valley Communications
Interconnection Arbitration
Application

Mr. Cramer: I move the Commission grant the Motion of J. G. Harrington for Admission Pro Hac Vice in Midcontinent Communications / Missouri Valley Communications, Inc. Interconnection Arbitration Application, Case No. PU-11-697.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-26
Montana-Dakota Utilities Co.,
a Division of MDU
Ron Thompson - McKenzie County
Public Convenience & Necessity

Mr. Cramer: I move the Commission issue a Notice of Opportunity for Hearing in the application of Montana-Dakota Utilities Co. to extend electric service to Ron Thompson at a location in McKenzie County, North Dakota, Case No. PU-12-26.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-33
Otter Tail Power Company
Curwood Seefeldt - LaMoure County
Public Convenience & Necessity

Mr. Cramer: I move the Commission issue a Notice of Opportunity for Hearing in the application of Otter Tail Power Company to extend electric service to Curwood Seefeldt at a location in LaMoure County, North Dakota, Case No. PU-12-33.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-39
Northern States Power Company
230 Kv Peace Garden Switching
Station Tran. Line
Public Convenience & Necessity

Mr. Clark: I move the Commission issue a notice of opportunity for hearing in the application of Northern States Power Company for a certificate of public convenience and necessity to construct and operate a proposed 230 kV Peace Garden Switching Station and 300 feet of 230 kV electric transmission line to interconnect the proposed Border Winds Energy Project to the existing 230 kV Rugby-to-Glenboro transmission line in Rolette County, North Dakota, Case No PU-12-39

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. GE-12-49
Archer Daniels Midland Co.
Changing Business Hours -
Underwood
Approval

Mr. Clark: I move the Commission adopt the Order Changing Business Hours for Archer Daniels Midland Co., Minneapolis, Minnesota, to permanently operate its Underwood, North Dakota warehouse on an as-needed, by appointment only basis in Case No. GE 12-49.

Mr. Cramer: I second the motion.

Roll Call: All voting "Aye."

Case No. RC-11-236
Reclamation
Rulemaking

Mr. Cramer: I move the Commission submit the mining and reclamation rule changes proposed in Case No. RC-11-236 to the Office of Surface Mining as State Program Amendment XXXIX.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-40
Plains Pipeline, L.P.
Nelson to Ross Pipeline –
Mountrail County
Siting Application

Mr. Cramer: I move the Commission acknowledge the Letter of Intent, shorten the one-year waiting period between filing a letter of intent and a siting application to two weeks, and assess a filing fee of \$68,000 due upon filing an application in Case No. PU-12-40, Plains Pipeline's proposed crude oil pipeline in Mountrail County, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-42
Magellan Midstream Partners, L.P.
Fargo Relocation Project –
Cass County
Siting Application

Mr. Cramer: I move the Commission acknowledge the Letter of Intent, shorten the one-year waiting period between filing a letter of intent and a siting application to 15 days, and assess a filing fee of \$6,712 due upon filing an application in Case No. PU-12-42, Magellan Midstream Partners' proposed petroleum pipeline in Cass County, North Dakota.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-43
Enbridge Pipelines (North Dakota) LLC
Sanish Pipeline Project –
McKenzie & Williams Counties
Siting Application

Mr. Cramer: I move the Commission acknowledge the Letter of Intent, shorten the one-year waiting period between filing a letter of intent and a siting application to three weeks, and assess a filing fee of \$100,000 due upon filing an application in Case No. PU-12-43, Enbridge Pipeline's proposed crude oil pipeline in McKenzie and Williams Counties, North Dakota.

Mr. Clark: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-10-630
Plains Pipeline, L.P.
Crude Oil Pipeline - Williams County
Siting Application

Mr. Cramer: I move the Commission adopt the Findings of Fact, Conclusions of Law and Order in the request of Plains Pipeline, L.P. for a waiver of procedures and time schedules, a corridor certificate and a route permit for the construction of a 32.1 mile, 12.75 inch outside diameter, crude oil pipeline in Williams County, North Dakota, Case No. PU-10-630.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

Case No. PU-12-24
Otter Tail Power Company
2012 Renewable Resource Cost
Recovery Adj. Factor
Tariff

Mr. Cramer: I move the Commission appoint
Annette Bendish and Mike Diller as advocacy staff in
Otter Tail Power Company's Renewable Resource Cost
Recovery Rider Tariff, Case No. PU-12-24.

Mr. Kalk: I second the motion.

Roll Call: All voting "Aye."

ATTEST

THE COMMISSION ADJOURNED AT 10:55 A.M.

Executive Secretary

TONY CLARK, CHAIRMAN